

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FATHIA HUSSEIN,

Plaintiff,

v.

SOCIÉTÉ AIR FRANCE

Defendant.

SCHEDULING ORDER

08 Civ. 0199 (SAS)

Conference Date: 03/31/2008

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on February 20, 2008 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

(1) the date of the conference and the appearances for the parties;

March 31, 2008

Abram Bohrer, Dankner & Milstein, PC, for Plaintiff Fathia Hussein.

David Harrington, Holland & Knight LLP, for Defendant Societe Air France

(2) a concise statement of the issues as they then appear;

This is a personal injury litigation arising from international air transportation and, therefore, is governed exclusively by the Montréal Convention. The primary issues involved in this litigation are (1) whether there was an "accident" under Article 17 of the Montréal Convention, (2) whether any of the defenses under Articles 20 and 21 of the Montréal Convention are applicable, and (3) the nature and quantum of recoverable damages, if any.

(3) a schedule including:

(a) the names of persons to be deposed and a schedule of planned depositions;

Flight Crew and Cabin Crew for Air France Flight 17 on October 14, 2006 that have relevant information regarding the alleged incident

Fathia Hussein

Various treating physicians

Depositions to be complete no later than July 31, 2008.

(b) a schedule for the production of documents;

All written discovery to be completed by July 31, 2008

(c) dates by which (i) each expert's reports will be supplied to the adverse side and (ii) each expert's deposition will be completed;

Plaintiff's expert disclosures due August 15, 2008

Defendant's expert disclosures due September 1, 2008

Expert depositions to be completed by October 15, 2008

(d) time when discovery is to be completed;

October 15, 2008

(e) the date by which plaintiff will supply its pre-trial order matters to defendant;

November 15, 2008

(f) the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial; and

December 15, 2008

(g) final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), Aug 7 at 4:30

(4) a statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

All medical records to be treated as confidential. All personnel and training records (or similar) to be treated as confidential. All training and operating manuals (or similar), if produced, to be considered proprietary and confidential. Parties agree to enter into comprehensive Confidentiality Agreement and will submit to the Court for approval.

(5) a statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

None at this time.

(6) anticipated fields of expert testimony, if any;

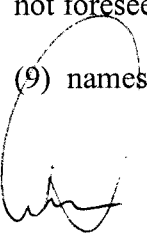
Orthopedic expert;
Psychological expert;
Meteorological expert;
Pilot expert.

(7) anticipated length of trial and whether to court or jury;

3 day jury trial

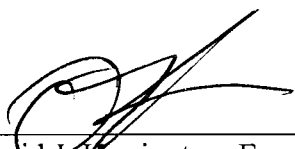
(8) This Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference of when justice so requires;

(9) names, addresses, phone numbers and signatures of counsel;



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T: 212-751-8000

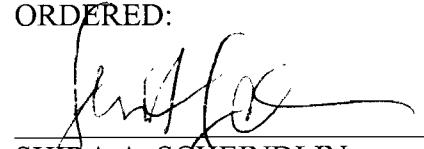
Counsel for Plaintiff, Fathia Hussein



David J. Harrington, Esq.
Holland & Knight LLP
195 Broadway, 24th Floor
New York, NY 10007
T: 212-513-3512

Counsel for Defendant Societe Air
France

ORDERED:



SHIRA A. SCHEINDLIN
U.S.D.J.

3/31/08